

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

In re: Paul Richard Stewart, Debtor)
)

Case No. 20-30038-KLP
Chapter 13

OBJECTION TO CONFIRMATION

COMES NOW Elizabeth C. Brogan, Counsel for Suzanne E. Wade, Chapter 13 Trustee, and moves this Court to deny confirmation of the Chapter 13 Plan dated January 8, 2020, for the cause as follows:

1. The Debtor filed this Chapter 13 Petition, now pending in the United States Bankruptcy Court, Eastern District of Virginia, Richmond Division, on January 3, 2020 under 11 U.S.C. Chapter 13.
2. This Objection is filed pursuant to 11 U.S.C. § 1325(b)(1)(B).
3. The above-filed Chapter 13 case is not eligible for confirmation due to the Debtor's failure to provide proof of his household expenses; specifically, the expenses taken as marital adjustment at Line 13 of Form 122C-1.
4. The Trustee would suggest, based on the Debtor's wife's paystubs from her new, current employment, that her payroll taxes appear overstated at Line 13, and that she has no ongoing expenses for life insurance or a retirement contribution.
5. In addition, the Trustee requests the Debtor provide proof of his wife's monthly debt maintenance expenses.

WHEREFORE, for the reasons stated herein, the Chapter 13 Trustee, by Counsel, respectfully moves the Court to deny confirmation of the Debtor's proposed Chapter 13 Plan, and for such further and other relief as the Court deems necessary.

Date: March 4, 2020

/s/ Elizabeth C. Brogan
Elizabeth C. Brogan, Counsel for
Suzanne E. Wade, Chapter 13 Trustee

Elizabeth C. Brogan
Counsel for Suzanne E. Wade, Chapter 13 Trustee
Virginia State Bar Number 76539
7202 Glen Forest Drive, Suite 202
Richmond, Virginia 23226
(804) 775-0979

CERTIFICATE OF SERVICE

I hereby certify a true copy of the foregoing OBJECTION TO CONFIRMATION was served electronically or by first-class mail, postage prepaid, this 4th day of March, 2020, upon the following parties:

Paul Richard Stewart
5854 Pilmour Drive
Providence Forge, VA 23140

Patrick Thomas Keith, Counsel for Debtor
Boleman Law Firm, PC
P.O. Box 11588
Richmond, VA 23230-1588
ecf@bolemanlaw.com

William R. Baldwin, III, Counsel for Donald R. Stewart
Meyer Baldwin Long & Moore LLP
5600 Grove Avenue
Richmond, VA 23226-2102
billbaldwin@comcast.net

Brandon R. Jordan, Johnie Rush Muncy; Counsel for First Home Mortgage Corporation
Samuel I. White, P.C.
1804 Staples Mill Rd., Suite 200
Richmond, VA 23230
bjordan@siwpc.com; jmuncy@siwpc.com

/s/ Elizabeth C. Brogan

Elizabeth C. Brogan, Counsel for
Suzanne E. Wade, Chapter 13 Trustee

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Chapter 13

NOTICE OF OBJECTION TO CONFIRMATION

Elizabeth C. Brogan, Counsel for Suzanne E. Wade, Chapter 13 Trustee, has filed papers with the Court objecting to the confirmation of your Chapter 13 Plan dated January 8, 2020.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the Court to grant the relief sought in the Objection, or if you want the Court to consider your views on the Objection, then on or before three (3) days before the date of the hearing, you or your attorney must:

X File with the Court, at the address shown below, a written response pursuant to Local Bankruptcy Rule 9013-1(H). If you mail your response to the Court for filing, you must mail it early enough that the Court will **receive** it on or before the date stated above.

Clerk of Court
United States Bankruptcy Court
701 East Broad Street, Suite 4000
Richmond, Virginia 23219

You must also mail a copy to:

Elizabeth C. Brogan
Counsel for Suzanne E. Wade, Chapter 13 Trustee
7202 Glen Forest Drive, Suite 202
Richmond, Virginia 23226

X Attend the hearing on the Objection, scheduled to be held on **March 11, 2020** at **9:10 a.m.** at **United States Bankruptcy Court, 701 East Broad Street, Room 5100, Richmond, VA 23219.**

Elizabeth C. Brogan
Counsel for Suzanne E. Wade, Chapter 13 Trustee
Virginia State Bar Number 76539
7202 Glen Forest Drive, Suite 202
Richmond, Virginia 23226
(804) 775-0979

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Objection, and may enter an order granting that relief.

Date: March 4, 2020

/s/ Elizabeth C. Brogan

Elizabeth C. Brogan, Counsel for
Suzanne E. Wade, Chapter 13 Trustee

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I hereby certify a true copy of the foregoing NOTICE OF OBJECTION TO CONFIRMATION was served electronically or by first-class mail, postage prepaid, this 4th day of March, 2020, upon the following parties:

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/s/ Elizabeth C. Brogan

Elizabeth C. Brogan, Counsel for
Suzanne E. Wade, Chapter 13 Trustee

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